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Forty-ninth session
SPECIAL POLITICAL AND DECOLONIZATION
COMMITTEE (FOURTH COMMITTEE)
Agenda item 77

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Djibouti, Egypt, Indonesia, Jordan, Sudan, Tunisia, United Arab Emirates and Yemen: draft resolution

Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988, 44/47 D of 8 December 1989, 45/73 D of 11 December 1990, 46/46 D of 9 December 1991, 47/69 D of 14 December 1992 and 48/40 D of 10 December 1993,

Cognizant of the fact that the Palestine refugees have, for the last four decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General, 1/

1/ A/49/439.

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1993 to 30 July 1994, 2/

1. Urges all States to respond to the appeal in its resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions 41/69 D, 42/69 D, 43/57 D, 44/47 D, 45/73 D, 46/46 D, 47/69 D and 48/40 D;

4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. Appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. Requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

2/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13).

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UNITED NATIONS RELIEF AND WORKS AGENCY FOR
PALESTINE REFUGEES IN THE NEAR EAST

Djibouti, Egypt, Indonesia, Jordan, Sudan, Tunisia,
United Arab Emirates and Yemen: draft resolution

Operations of the United Nations Relief and Works Agency
for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, covering the period from 1 July 1993 to 30 June 1994, 1/

Taking note of the letter dated 15 September 1994 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General, contained in the report of the Commissioner-General,

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1/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13).

Having considered the reports of the Secretary-General submitted in pursuance of General Assembly resolutions 48/40 E, 2/ 48/40 H 3/ and 48/40 J 4/ of 19 December 1993,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations, 5/

Affirming the applicability of the Fourth Geneva Convention of 12 August 1949 6/to the occupied Palestinian territory since 1967, including Jerusalem,

Aware of the fact that Palestine refugees have, for over four decades, lost their homes, lands and means of livelihood,

Aware also of the continuing needs of Palestine refugees throughout the occupied Palestinian territory and in the other fields of operation, namely in Lebanon, Jordan and the Syrian Arab Republic,

Expressing its appreciation for the role which has been played by the United Nations Relief and Works Agency for Palestine Refugees in the Near East over the years in the service of the Palestine refugees, and aware of the importance of its presence and the increase in its work in the new circumstances,

Aware further of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestinian refugees,

Deeply concerned about the critical financial situation of the Agency and its effect on the continuity of provision of necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Aware of the initiation of the new Peace Implementation Programme of the Agency,

Convinced of the necessity of the transfer of the headquarters of the Agency to the occupied Palestinian territory as part of the area of operation of the Agency,

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2/ A/49/440.

3/ A/49/442.

4/ A/49/443.

5/ United Nations, Treaty Series, vol. I, No. I-4.

6/ Ibid., vol. 75, No. I-973.

Welcoming the signing of the Declaration of Principles on Interim Self-Government Arrangements 7/ by the Government of Israel and the Palestine Liberation Organization and the subsequent implementation agreements, including the Agreement on the Gaza Strip and the Jericho Area of 4 May 1994, 8/

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the Palestine Liberation Organization, 9/

Recalling its decision 48/417 of 10 December 1993 on the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization,

1. Expresses its appreciation to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all the staff of the Agency, for their tireless efforts and valuable work;

2. Expresses its appreciation also to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the Assembly informed on its activities, including the full implementation of General Assembly decision 48/417;

3. Acknowledges the support of the host Governments and the Palestine Liberation Organization for the Agency in the discharge of its duties;

4. Calls upon Israel, the occupying Power, to accept the de jure applicability of the Fourth Geneva Convention of 12 August 1949 6/ and to abide scrupulously by its provisions;

5. Also calls upon Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations 5/ with regard to the safety of the personnel of the Agency and the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the occupied Palestinian territory, including Jerusalem;

6. Calls once again on the Government of Israel to compensate the Agency for damages to its property and facilities resulting from actions by the Israeli side;

7. Requests the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the occupied Palestinian territory;

7/ A/48/486-S/26560, annex.

8/ A/49/180-S/1994/727, annex.

9/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13), annex I.

8. Notes that the new context created by the signing of the Declaration of Principles on Interim Self-Government Arrangements 7/ by the Government of Israel and the Palestine Liberation Organization and subsequent implementation agreements has had major consequences for the activities of the Agency, which is henceforth called upon, in close cooperation with the Special Coordinator of the Secretary-General in the occupied territory, the specialized agencies and the World Bank, to continue to contribute towards the development of economic and social stability in the occupied territory;

9. Notes also that the functioning of the Agency remains essential in all fields of operation;

10. Notes further the significant success of the Peace Implementation Programme of the Agency during the first year following the signing of the Declaration of Principles;

11. Urges all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease current financial constraints and to support the Agency in maintaining the provision of the most basic and effective assistance to the Palestine refugees.

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UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Djibouti, Egypt, Indonesia, Jordan, Sudan, Tunisia, United Arab Emirates, and Yemen: draft resolution

Revenues derived from Palestine refugees' properties

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General in pursuance of resolution 48/40 G of 10 December 1993, 1/

Taking note also of the report of the United Nations Conciliation Commission for Palestine, covering the period from 1 September 1993 to 31 August 1994, 2/

Recalling that the Universal Declaration of Human Rights 3/ and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her private property,

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1/ A/49/488.

2/ See A/49/509.

3/ Resolution 217 A (III).

Considering that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity,

Recalling, in particular, its resolution 394 (V) of 14 December 1950, in which it directed the United Nations Conciliation Commission for Palestine, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the United Nations Conciliation Commission for Palestine in its twenty-second progress report, 4/ and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

1. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel and to establish a fund for the receipt of income derived therefrom, on behalf of the rightful owners;

2. Calls once more upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

3. Calls upon the Governments of all the other Member States concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel which would assist the Secretary-General in the implementation of the present resolution;

4. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

4/ Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 11, document A/5700.